

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
CIVIL ACTION NO. \_\_\_\_\_**

KATHRYN MCHUTCHISON )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
SPENCER SCHAR )  
 )  
Defendant. )  
\_\_\_\_\_

**DECLARATION OF  
SPENCER SHAR**

Spencer Schar declares:

**Background & Residency**

1. I am over the age of eighteen and I am competent to make this declaration. I have personal and actual knowledge of the matters and facts set forth in this declaration including the documents attached to it

2. I am a citizen and resident of Palm Beach—which is situated within Palm Beach County—Florida.

3. I have been a resident of Palm Beach, Florida since at least August, 2005. I became a citizen of Palm Beach when I reached the age of eighteen in 2015.

4. As a citizen and resident of Palm Beach, Florida (Palm Beach County), I am registered to vote in the State of Florida. A true and correct copy of my voter registration card is attached as Exhibit A.

5. In addition, the only driver's license I hold was issued to me by the State of Florida. A true and correct copy of my Florida driver's license is attached as Exhibit B.

6. I attend college as an undergraduate student at Elon University, which is located in Elon, North Carolina (Alamance County). I am not, however, a citizen or resident of North Carolina. Instead, as set forth above, I am a citizen, and have long been a resident, of Palm Beach, Florida.

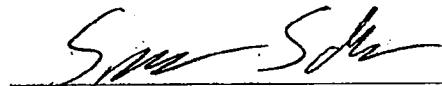
7. Documents provided to and maintained by Elon University reflect that I am a citizen and resident of Palm Beach, Florida, not North Carolina. A true and correct copy of a document issued by Elon University, noting my "Permanent Address" and residence in Palm Beach, Florida, is attached as Exhibit C.

**Settlement Demand**

8. Before Plaintiff filed the Complaint in the instant case, Plaintiff, through her counsel, provided a written settlement demand letter to me, through my counsel, demanding that I (a college student) pay Plaintiff well in excess of \$75,000 in exchange of Plaintiff's agreement to not file the claims Plaintiff later asserted in her Complaint in this action. A true and correct copy of Plaintiff's demand letter is attached as Exhibit D.

Pursuant to 28 U.S.C. Section 1746, I declare under penalty of perjury that the foregoing is true and correct.

This the 14<sup>th</sup> day of June 2018.

  
Spencer Schar

### CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **DECLARATION OF SPENCER SCHAR** has been electronically filed using the CM/ECF system, and the following parties were served via 

electronic mail as follows:
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This the 15<sup>th</sup> day of June, 2018.

BROOKS, PIERCE, McLENDON,  
HUMPHREY & LEONARD, L.L.P.

By: 

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